
Public Notice

Applicant:

Seayco Development, L.L.C.

Date:

Published: April 16, 2003

Expires: May 15, 2003

**U.S. Army Corps
of Engineers****In Reply Refer To:**Buffalo District **CELRB-TD-R RE:** 2003-00456(1) **Section:** NY404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Seayco Development, L.L.C., 130 West Central Avenue, Bentonville, Arizona 72712, has applied for a Department of the Army permit to fill 2.25 acres of wetland and 490 linear feet of an unnamed tributary to Mud Creek for the construction of a commercial development on 56.2 acres located off of Route 11 in the Town of Cicero, Onondaga County, New York.

The project includes the development of Cicero Market, which will include two anchor tenants, a Wal-Mart Supercenter of 203,622 square feet and a home improvement store of approximately 130,000 square feet, as well as an additional 68,000 square feet of smaller shop space and four out-parcels. The proposed fill is for the development of the leasable building space with associated roads, parking lots and other appurtenances. The intermittent stream will be culverted to maintain upstream and downstream flows.

Approximately 5.4 acres of wetland and 1,660 linear feet of an unnamed tributary to Mud Creek exist on the 56 acre parcel. The wetland delineation was field verified by this office on October 27, 1999 while development was proposed by Burdick Companies, under DA application number 1999-02879(1). No permits were issued under that application. A jurisdictional determination, with respect to isolation, for Wetlands E, F, G, and H has not been made at this point, but will be done so during the growing season. Wetlands A, B, C and D, which total 4.47 acres, are all contiguous with the unnamed tributary to Mud Creek and therefore determined to be regulated waters of the United States.

The applicant has indicated a willingness to mitigate, but no plans have been provided to date.

The purpose of the proposed fill is to develop the site for commercial

development.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Margaret A. Crawford, who can be contacted by calling (315) 255-8090, or by e-mail at: margaret.a.crawford@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021, and should be marked to the attention of Margaret A. Crawford, or by e-mail at: margaret.a.crawford@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

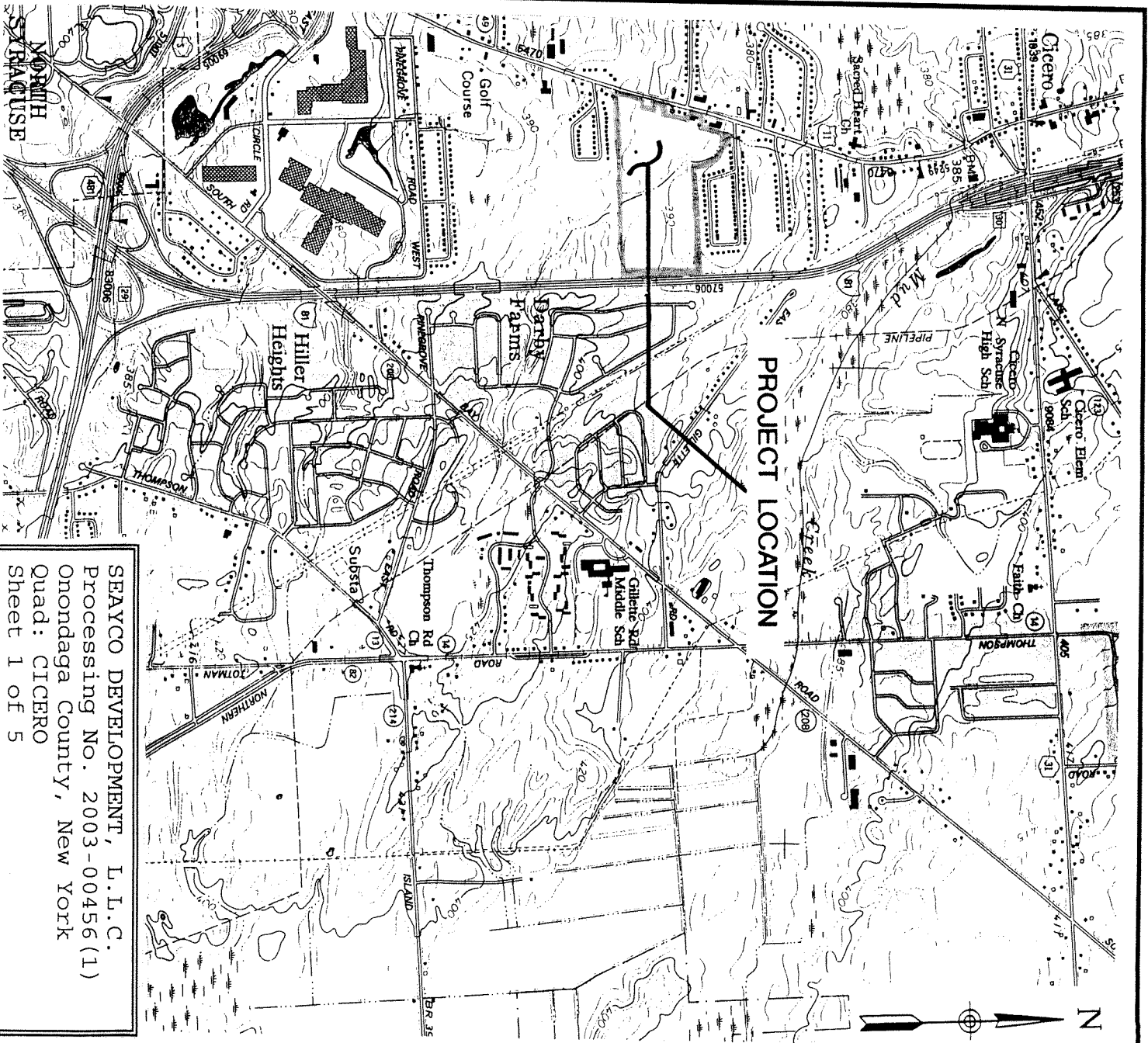
Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



SEAYCO DEVELOPMENT, L.L.C.
Processing No. 2003-00456 (1)
Onondaga County, New York
Quad: CICCRO
Sheet 1 of 5

Scale: 1 inch = 2,000 feet

FIGURE 1

Burdick Properties Wetland Delineation

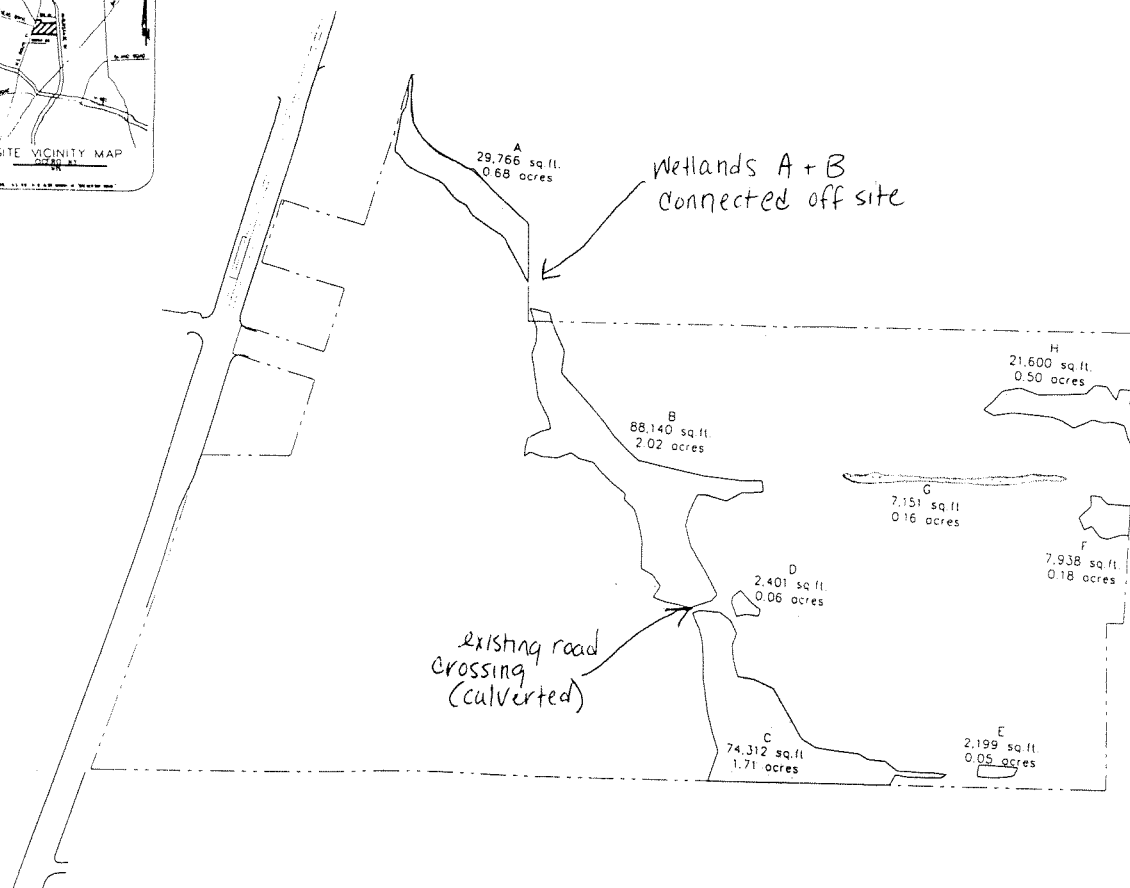
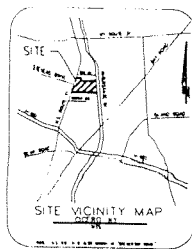
SITE LOCATION MAP

Onondaga County

New York

Barton
& Loguidice, P.C.
Consulting Engineers

Base Map: NYSDOT Cicero 7.5 Minute Topographic Quadrangle, 1989.



OVERALL SITE ANALYSIS

ANCHOR #1	203,622 S.F.
ANCHOR #2	134,574 S.F.
SHOPS #1	16,000 S.F.
SHOPS #2	10,000 S.F.
SHOPS #3	47,600 S.F.
TOTAL BUILDINGS	411,796 S.F.
PARKING PROVIDED	1,949 SPACES
PARKING RATIO	4.73/1,000 S.F.

ANCHOR #1 SITE ANALYSIS

ANCHOR #1	203,622 S.F.
PARKING PROVIDED	943 SPACES
PARKING RATIO	4.64/1,000 S.F.

ANCHOR #2 SITE ANALYSIS

ANCHOR #2	134,574 S.F.
PARKING PROVIDED	615 SPACES
PARKING RATIO	4.57/1,000 S.F.

SHOPS SITE ANALYSIS

SHOPS BLDG. AREA	73,600 S.F.
PARKING PROVIDED	390 SPACES
PARKING RATIO	5.30/1,000 S.F.

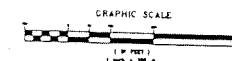
SITE AREAS

ANCHOR #1	2035 ± AC.
ANCHOR #2	1327 ± AC.
SHOPS	1307 ± AC.
OUTLOT #1	102 ± AC.
OUTLOT #2	130 ± AC.
OUTLOT #3	123 ± AC.
OUTLOT #4	086 ± AC.
UNDIST. WETLANDS & DETENTION AREAS	488 ± AC.
TOTAL SITE AREA	5596 ± AC.

WETLANDS ANALYSIS

TOTAL EX SITE WETLANDS	5,382 ± AC.
TOTAL EX WETLANDS TO BE FILLED	2,444 ± AC.
TOTAL UNDISTURBED WETLANDS	2,938 ± AC.

ALTERNATIVE 'P-7' SITE PLAN



Project Title: PROPOSED "CICERO MARKET" SHOPPING CENTER
CICERO, NY
BY: The SEAYCO Group, Inc.
BENTONVILLE, AR

REVISIONS BY

NO.	DATE	BY	REVISIONS
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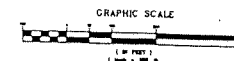
DRAWN BY: KPL
CHECKED BY: WJB
DATE: 2/17/03
SCALE: 1" = 100'
SHEET NO: 02-234
WETLANDS
P-7

SEAYCO DEVELOPMENT, L.L.C.
Processing No. 2003-00456(1)
Onondaga County, New York
Quad: CICERO
Sheet 2 of 5

wetland B - 1.59 acres
wetland C - 0.3 acres
wetland D - 0.04 acres
wetland E - 0.05 acres
wetland F - 0.09 acres
wetland G - 0.16 acres
wetland H - 0.02 acres

Area #1 - 0.68 acres (A)
Area #2 - 0.48 acres (H)
Area #3 - 0.38 acres (B)
Area #4 - 1.41 acres (C)
Area #5 - 0.09 acres (F)
total 3.04 acres

ALTERNATIVE 'P-7
CONCEPTUAL
SITE PLAN



SEAYCO DEVELOPMENT, L.L.C.
Processing No. 2003-00456(1)
Onondaga County, New York
Quad: CICERO
Sheet 3 of 5

ANCHOR #1	203,622	SF
ANCHOR #2	134,574	SF
SHOPS #1	16,000	SF
SHOPS #2	10,000	SF
SHOPS #3	47,600	SF
TOTAL BUILDINGS	411,796	SF
PARKING PROVIDED	1,949	SPACES
PARKING RATIO	4.73/1,000	SF

ANCHOR #1	203,622 S.F.
PARKING PROVIDED	943 SPACES
PARKING RATIO	4.64/1,000 S.F.

ANCHOR #2	134,574 SF
PARKING PROVIDED	615 SPACES
PARKING RATIO	4.57/1,000 SF

SHOPS BLDG. AREA	73,600 S.F.
PARKING PROVIDED	390 SPACES
PARKING RATIO	5.30/1,000 S.F.

ANCHOR #1	20.78 ± AC
ANCHOR #2	13.58 ± AC
SHOPS	10.78 ± AC
OUTLOT #1	1.02 ± AC
OUTLOT #2	1.30 ± AC
OUTLOT #3	1.23 ± AC
OUTLOT #4	0.88 ± AC
UNDIST. WETLANDS & DETENTION AREAS	5.04 ± AC
TOTAL SITE AREA	56.20 ± AC

NOTE: OUTLOT USES SHOWN ARE MERELY
SPECULATIVE AND SUBJECT TO CHANGE
DUE TO ACTUAL TENANT'S PROPOSED USE

TOTAL EX. SITE WETLANDS	5,382± AC.
TOTAL EX. WETLANDS TO BE FILLED	2,444± AC.
TOTAL UNDISTURBED WETLANDS	2,938± AC.

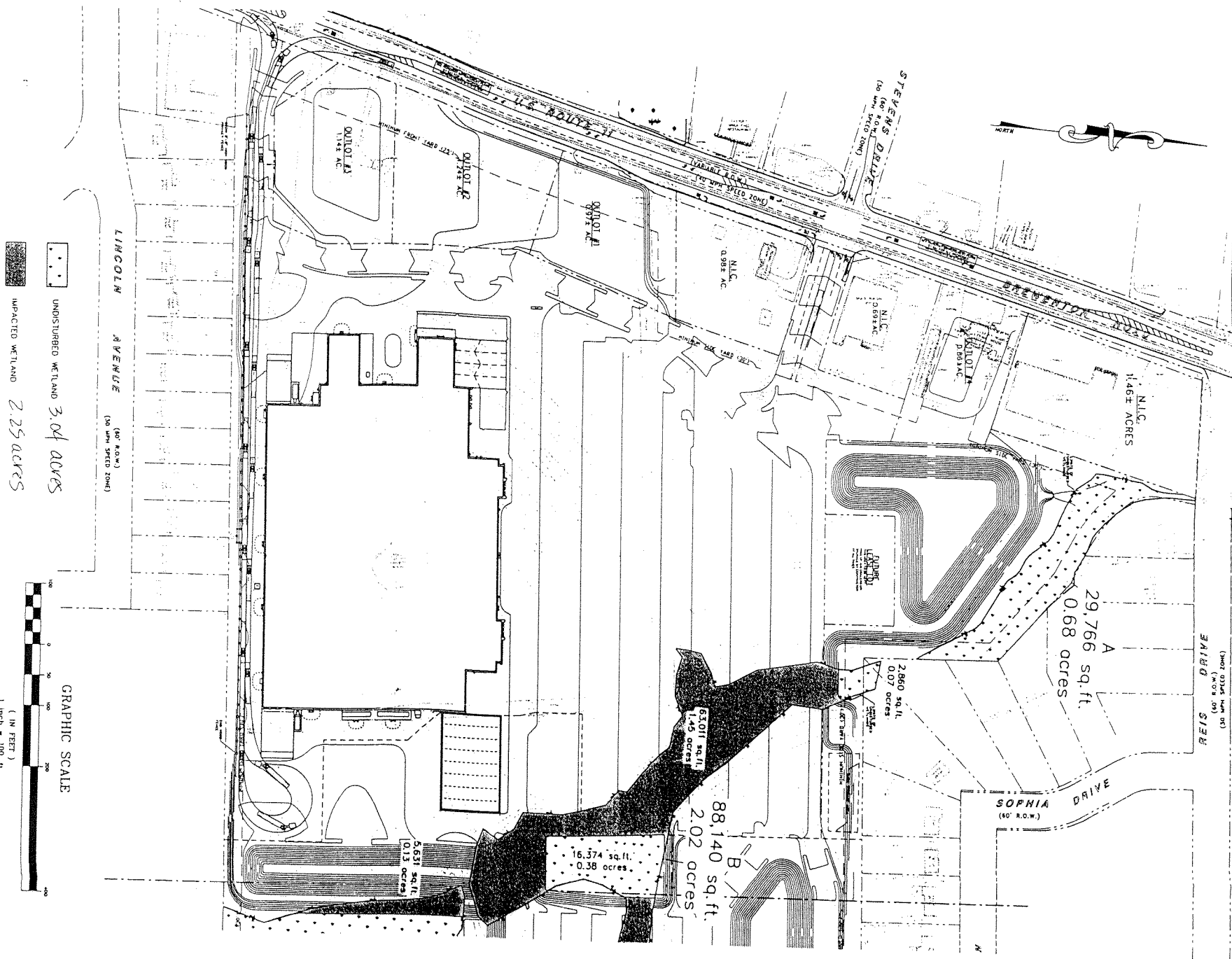
Project Title: **PROPOSED COMMERCIAL DEVELOPMENT
CICERO, NY**
By: **The SEAYCO Group, Inc.
BENTONVILLE, AR**

REVISIONS	BY

DRAWN BY	KPL
CHECKED BY	MJB
DATE	2/14/03
SCALE	1" = 100'
SHEET NO.	02 - 234
SHEET NUMBER	
P-7	

WAV
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SEAYCO DEVELOPMENT, L.L.C.
Processing No. 2003-00456(1)
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Quad: C1CERO
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 Onondaga County, New York
 Quad: C1C6RO
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